

**Amendment and Response**

Page 6 of 7

Serial No.: 09/806,086

Confirmation No.: 3790

Filed: June 22, 2001

For: MUCOSAL ORIGINATED DRUG DELIVERY SYSTEMS AND ANIMAL APPLICATIONS**Remarks**

The Office Action mailed 10 March 2005 has been received and reviewed. Claims 1-11 and 13-20 were pending, with claims 1-10 having been withdrawn in response to the restriction requirement mailed 12 July 2001. The Examiner indicated that the above-identified application was in condition for allowance except for formal matters, and that the prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213. Applicant thanks the Examiner for indication of the presence of allowable subject matter in claims 11 and 13-20. Further, Applicant requests rejoinder under 37 CFR §1.121 of claims 2-7, 9, and 10. Claims 1 and 8 have been canceled, without prejudice, and rewritten as new claims 21 and 22, respectively, to include all of the limitations of the examined compound claims. Claims 2-7, 9, and 10 have been amended to correct formalities. None of the amendments or the new claims introduce new matter. Thus, claims 2-7, 9-11, and 13-22 are now pending.

**Request for Reconsideration Under 37 C.F.R. §1.121**

Applicant respectfully requests reconsideration and withdrawal or modification of the restriction requirement of 12 July 2001, since the claims of Groups I and II are both drawn to processes for using the composition of claim 11 and are amended herewith to include all the limitations of the examined composition claims. Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996 (1184 O.G. 86) and 37 CFR §1.121, modification of the restriction requirement, and rejoinder and examination of previously withdrawn claims 2-7, 9, 10, as amended herein, as well as new claims 21 and 22, written to replace canceled claims 1 and 8, is respectfully requested.

It is respectfully submitted that the present application is in condition for allowance. Notification to that effect is respectfully requested. The Examiner is invited to contact

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Page 7 of 7

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Applicants' Representatives at the below-listed telephone number if it is believed that prosecution of the above-identified application can be assisted or expedited thereby in any way.

Respectfully submitted for

MATSON et al.

By

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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of May, 2005, at 3:30 pm (Central Time).

By:

Sandy Truehart

Name:

Sandy Truehart

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